

REMARKS

In the Office Action of November 29, 2002, examined claims 1-6 were rejected under 35 USC §102(b) as being anticipated by Kadowaki et al, U.S. Patent No. 5,351,282.

By the present amendment, claim 1 has been cancelled and replaced with new claim 7. Claim 5 has been cancelled and replaced by new claim 8. New claims 7 and 8 are deemed to particularly point out and distinctly claim applicant's invention and to define subject matter clearly patentable over the applied reference. Claims 2-4 and 6 have been amended to properly depend from the respective new claims. Claims 9 and 10, dependent on claim 8, have been added.

Reconsideration and withdrawal of the substantive rejection of the claims is respectfully requested in view of the foregoing claim cancellations, additions, and amendments and the following argument for allowance.

New independent claim 7 recites X-ray apparatus having a carriage having at least one pair of independently driven driving wheels and motor means (12) for actuating the driving wheels. The carriage has a driving handle with side bars (2) rotatably coupled to the carriage along an axis of rotation (3) and a cross bar (1) coupled to and extending between the side bars in an articulated manner to allow turning movement of the respective side bars to different extents and in different directions about the axis. A means moves with each turning movement of each respective side bar (2), the movement of said means being measured by measuring means (10) and converted into an electric signal by which operation of the motor means (12) of the driving wheels is controlled to steer the X-ray apparatus.

Figures 1 and 2 of the Kadowaki et al reference show a mobile X-ray apparatus having a pair of right and left control bars (12R, 12L). Each of the control bars is mounted, at an inner end, on the X-ray apparatus to move in a horizontal plane independently of the other to steer the X-ray apparatus. (Column 4, lines 29-32)

The subject matter of new claim 7 is not anticipated by the Kadowaki et al reference for the following reasons. Claim 7 calls for a cross bar (1) coupled to and extending between the side bars (2) so as to be movable with the side bars. The Kadowaki et al reference does not teach or suggest such a cross bar. In fact, the Kadowaki et al reference explicitly teaches against such a cross bar, stating that a cross bar provides an "unnatural feeling of control". (Col. 1 Lines 44-55).

In the present invention, as claimed by claim 7, the side bars are connected to a cross bar to provide a more user friendly steering of the mobile X-ray apparatus. The cross bar makes it possible to steer the carriage by one hand and in confined spaces, such as a door way. Also, the articulated connection of the side bars to the cross bar diminishes the possibility of incorrect movements of the carriage. Such steering is not possible when using side bars arranged free from each other, as taught by Kadowaki et al.

There is clearly no cross bar in the embodiment of the invention shown in Figs. 6-9 of the Kadowaki et al patent.

Independent claim 7 is thus deemed to define patentable subject matter over the Kadowaki et al reference and to be allowable. Applicant respectfully requests that the rejection under §102(b) be withdrawn and independent claim 7 be allowed.

Claims 2-3 are amended to depend from claim 7 and are believed allowable for the above stated reasons, as well as for the detailed subject matter contained therein.

Claim 4 is amended to depend from claim 7 and is also believed allowable for the above stated reasons, as well as for the detailed subject matter contained therein. According to claim 4, the X-ray apparatus comprises release means (7-9) by which the motor means (12) can be released from the driving coupling with the driving wheels (17), allowing the wheels to rotate freely and thus permitting manual movement of the X-ray apparatus carriage. The release means is an important feature in exceptional situations, for example, when power is cut off from the apparatus or batteries have run down and it is necessary to push or pull the apparatus. Kadowaki et al only teach a carriage that stands still when the control bars are placed in neutral positions. (Col. 2 Lines 63-66) There no teaching or suggestion in Kadowaki et al of a release means for allowing manual movement of the carriage.

New independent claim 8 is specifically directed to the subject matter of claim 4. It calls for the carriage to have a release means (7-9) by which the motor means can be released from a driving coupling with the driving wheels, allowing the wheels (17) to rotate freely and thus promote manual movement of the carriage and re-engaged to cause braking of the carriage, both as carried out by movement of the driving handle.

As noted above, Kadowaki et al do not teach or suggest a release means by which the motor means can be released from a driving coupling with the driving wheels for

manual movement of the carriage. Kadowaki et al also do not teach or suggest means for carrying out braking of the carriage when the carriage is being manually moved.

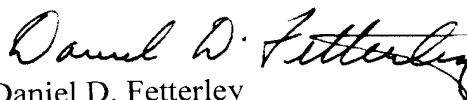
Independent claim 8 thus defines patentable subject matter and is allowable. Applicant respectfully requests that the rejection under §102(b) be withdrawn and newly added claim 8 be passed to allowance.

Dependent claims 9 and 10 have been added to further define the apparatus claim 8 and are believed allowable for the same reasons.

This application is believed to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

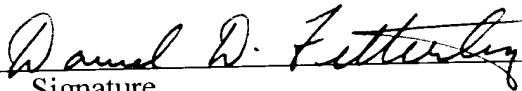


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000/PTO Rev. 10/95		Application Number	10/018,987
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		Examiner Name	Irakli Kiknadze
		Attorney Docket Number	2542-00034

TRANSMITTAL FORM
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Total Number of pages in this Submission	8
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<input checked="" type="checkbox"/> Amendment <input type="checkbox"/> After final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board Of Appeals and Interferences
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<input type="checkbox"/> Information Disclosure Statement/PTO-1449	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
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Date	February 28, 2003

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METHOD OF PAYMENT (check one)		Filing Date	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		05/01/2002	
Deposit Account Number		First Named Inventor	
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Deposit Account Name		Group Art Unit	
Andrus, Scealess, Starke & Sawall, LLP		2882	
<input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17		Examiner Name	
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FEE CALCULATION (fees effective 10/01/97)		2542-00034	
1. Filing Fee		FEE CALCULATION (continued)	
Large Entity Small Entity		2. Additional Fees	
Fee Fee Fee Fee		Large Entity Small Entity	
Code (\$) Code (\$) Code (\$) Code (\$)		Fee Fee Fee Fee	
101 690 201 345 Utility filing fee		Code (\$) Code (\$) Fee Description Fee Paid	
106 310 206 155 Design filing fee		105 130 205 65 Surcharge-late filing fee or oath	
107 480 207 240 Plant filing fee		127 50 227 25 Surcharge-late provisional filing fee or cover sheet	
108 690 208 345 Reissue filing fee		139 130 139 130 Non-English specification	
114 150 214 75 Provisional filing fee		147 2,520 147 2,520 For filing a request for reexamination	
SUBTOTAL (1) (\$)		112 920* 112 920* Requesting publication of SIR prior to Examiner action	
0		113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	
2. Claims		115 110 215 55 Extension for response within first month	
Extra Fee from Fee Paid		116 400 216 200 Extension for response within second month	
Total claims -20= X =		117 950 217 475 Extension for response within third month	
Independent - 3= X =		118 1,510 218 755 Extension for response within fourth month	
Claims		128 2,060 228 1,030 Extension for response within fifth month	
Multiple Dependent X =		119 310 219 155 Notice of appeal	
Claims		120 310 220 155 Filing a brief in support of an appeal	
Large Entity Small Entity Fee		121 270 221 135 Request for oral hearing	
Fee Fee Fee Fee Description		138 1,510 138 1,510 Petition to institute a public use proceeding	
Code (\$) Code (\$) Code (\$)		140 110 240 55 Petition to revive unavowably abandoned application	
103 18 203 9 Claims in excess of 20		141 1,320 241 660 Petition to revive unintentionally abandoned application	
102 78 202 39 Independent claims in excess of 3		142 1,320 242 660 Utility issue fee (or reissue)	
104 270 204 135 Multiple dependent claim		143 450 243 225 Design issue fee	
109 82 209 41 Reissue independent claims over original patent		144 670 244 335 Plant issue fee	
110 22 210 11 Reissue claims in excess of 20 and over original patent		122 130 122 130 Petitions to the Commissioner	
SUBTOTAL (2) (\$)		123 50 123 50 Petitions related to provisional applications	
0		126 240 126 240 Submission of Information Disclosure Statement	
SUBMITTED BY		581 40 581 40 Recording each patent assignment per property (times number of properties)	
Type or Printed name		146 790 246 395 Filing a submission after final rejection (37 CFR 1.129(a))	
Joseph J. Jochman		149 790 249 395 For each additional invention to be examined (37 CFR 1.129(b))	
Andrus, Scealess, Starke & Sawall, LLP		Other fee (specify)	
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